



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Matthew Denver
Armstrong Power, LLC
2313 State Route 156
Shelocta, Pennsylvania 15774

Dear Mr. Denver:

The United States Environmental Protection Agency ("EPA") hereby requires Armstrong Power, LLC ("Armstrong") to provide certain information as part of an EPA investigation to determine the Clean Air Act ("CAA" or "the Act") compliance status of the facility located in Shelocta, PA (the "Facility").

Pursuant to Section 114(a) of the CAA, 42 U.S.C. Section 7414(a), the Administrator of EPA is authorized to require any person who owns and/or operates an emission source to establish and maintain records, make reports and provide such other information as he may reasonably require for the purposes of determining whether such person is in violation of any provision of the Act. In order for EPA to determine whether a violation has occurred, you are hereby required, pursuant to Section 114(a) of the CAA, to provide responses to the following questions and requests for information regarding your glass manufacturing plant. Therefore, you are hereby required to respond to questions and requests for information in Enclosure 2 within the time period specified. (See Enclosure 1 for instructions and definitions). All information submitted in response to this request must be certified as true, correct, accurate and complete by an individual with sufficient knowledge and authority to make such representations on behalf of Armstrong. On the last page of your response(s) to this Questionnaire, please include the certification contained in Enclosure 3.

Failure to provide the required information may result in the issuance of an Order requiring compliance with the requirements, or the initiation of a civil action pursuant to Section 113(b) of the Act, 42 U.S.C. Section 7413(b). In addition, Section 113(c)(2) of the Act provides that any person who knowingly makes any false material statement, representation, or certification in, or omits material information from any document required pursuant to this Act shall upon conviction be punished by a fine pursuant to Title 18 of the United States Code, or by imprisonment for not more than two years, or both. The information you provide may be used by EPA in administrative, civil and criminal proceedings.



You are entitled to assert a business confidentiality claim, covering all or part of the information which this letter requires, except that no such claim can be made with respect to emission data as defined at 40 C.F.R. Section 2.301(a)(2) (Enclosure 4). Any such claim should be made in accordance with the procedures described at 40 C.F.R. Section 2.203(b). EPA will provide the public with information subject to a claim of business confidentiality only in accordance with the procedures set forth at 40 C.F.R. Part 2, Subpart B. EPA may provide the public with any information not subject to such a claim without further notice. The required submission of information pursuant to Section 114 is not subject to the approval requirements of the Paperwork Reduction Act of 1980, 44 U.S.C. Sections 3501, et seq.

EPA requires Armstrong to submit the information requested in Enclosure 2 no later than thirty (30) calendar days after receipt of this letter. EPA requires that Armstrong report any changes or revisions to the information supplied within seven (7) days after the change or revision is made. This requirement to provide EPA with changed or revised information shall remain in effect until EPA provides Armstrong with written notice of its termination. Please submit your response to this request to:

Ms. Zelma Maldonado, Associate Director
U.S. Environmental Protection Agency Region III
Office of Air Enforcement & Compliance Assistance (3AP20)
1650 Arch Street
Philadelphia, PA 19103-2029

If you have any questions regarding this information request, please contact Paul Arnold, of the Air Protection Division at (215) 814-2194.

Sincerely,



Cristina Fernandez, Director
Air Protection Division



ENCLOSURE 1

A. INSTRUCTIONS

1. Please provide a separate narrative response to each question and subpart of a question set forth in this Information Request.
2. Indicate on each document produced in response to this Information Request, or in some other reasonable manner, the number of the question to which it corresponds.
3. Provide as much information possible to completely answer each question. This includes all supporting documentation, such as performance test reports, inspection records, memorandums, facility records, etc. Failure to completely respond to any questions may increase the time necessary to determine compliance with all applicable regulations.
4. For each document provided in response to these questions, provide an accurate and legible copy, which can be used to determine the completeness of this request. For any information submitted electronically, clearly label to which question(s) the data is responsive.
5. When a response is provided in the form of a number, specify the units of measure of the number in a precise manner.
6. Where documents or information necessary for a response are neither in your possession nor available to you, indicate in your response why such documents or information is not available or in your possession and identify any source that either possesses or is likely to possess such information.

B. DEFINITIONS

1. All terms used in the Information Request will have their ordinary meaning unless such terms are defined in the Act, 42 U.S.C. ' 7401 or 40 C.F.R. Part 52.21.
2. EPA Region III includes the states of Maryland, Pennsylvania, Virginia, West Virginia, Delaware and the District of Columbia.
3. Commence Construction shall mean with respect to Question 5, the date the facility broke ground or began to lay building foundations.



ENCLOSURE 2

1. Provide the corporate structure of Armstrong Power, LLC. The response should include a list of the corporate officers and the date and place of incorporation. Indicate whether Armstrong is public or privately owned and provide the net worth of Armstrong.
2. Provide a list of each facility located in EPA Region 3 that is either owned (in whole or in part) or operated by Armstrong. This list should include the physical address of the facility and the type of business.
3. For each facility listed in response to Question 2, provide the date that actual physical construction commenced and the date the facility commenced operation.

The following questions seek information for the facility located in Shelocta, Pennsylvania:

4. Provide a detailed description of the Facility operations and provide a plot plan of the entire Shelocta Facility.
5. For the Shelocta Facility, provide a list of each engine, emergency engine and turbine that is in operation or has historically operated at the facility since 2012.
6. For each engine, emergency generator and turbine identified in response to Question 5, provide the following information:
 - a. The make, model, and serial number;
 - b. The rated capacity of the engine, emergency engine and turbine (BHP, MW, etc.);
 - c. The purchase and installation dates of each engine, emergency engine and turbine;
 - d. If applicable, the date the engine, emergency engine or turbine was removed from the Facility;
 - e. Indicate whether each engine or emergency engine is a reciprocating or compression engine; and
 - f. The fuel(s) combusted in each engine, emergency generator and turbine;
7. For each engine, emergency generator and turbine listed in response to Question 5, provide the amount of fuel combusted (gallons, MMscf, etc.) and the hours of operation, on a monthly and annual basis, from 2012 to the date of this request.
8. For each engine, emergency generator and turbine identified in response to Question 5, provide in a table or spreadsheet format, each air pollution control device or air pollution reduction methodology in operation at the Facility which is used to reduce the emission of air pollutants from each engine, emergency generator and turbine. For each device or methodology provide:



- a. The type of control device being utilized i.e., low-NOx burners, selective catalytic reduction, etc);
 - b. The emission unit(s) being controlled;
 - c. The date the device or reduction method was installed or began operation (or was removed from service);
 - d. Which air pollutants are being controlled;
 - e. The reduction (control) efficiency and how that efficiency was determined, including the vendor guarantee of removal efficiency; and;
 - f. The actual reduction (tons/yr) for each air pollutant at each affected emission source and the calculation documenting the reductions.
 - g. Provide a list of each pre or post combustion control technology that has been removed from any engine, emergency generator and turbine. For each control technology removed, provide:
 - i. The type of control technology;
 - ii. The engine, emergency engine and turbine from which it was removed;
 - iii. The reason for the removal of the control technology;
 - iv. The dates the technology was installed and operating;
 - v. The pollutant(s) that was being controlled.
9. Provide copies of all applications submitted to the Pennsylvania Department of Environmental Quality (PADEP) or EPA for plan approval, installation permit, request for determination, construction permit, minor NSR permit or Title V permit since January 1, 2012.
10. Provide copies of each permit (pre-construction, construction, Title V, etc.) or request for determination issued by the PADEP since January 1, 2012.
11. Provide copies of any New Source Review or Prevention of Significant Deterioration (NSR/PSD) analyses which may have been conducted prior to, or in response to, a proposed or actual construction project at the Facility since January 1, 2012. This request includes, but is not limited to, any internal studies, consultant reports, or correspondence with the PADEP or EPA.
12. Identify and describe, in a chronologically organized table, all capital expenditures greater than \$25,000 commenced at the Facility from January 1, 2012 until the present. This list must contain the approximate date each project (including maintenance projects and modifications) commenced, the date each project was completed or implemented, a brief description of each project and the fixed capital cost of each project in nominal dollars.
13. For each project identified in Question #11 which cost greater than \$100,000, provide copies of all capital appropriation requests¹, financial justifications, and authorizations,

¹The term "capital appropriation request" shall mean any document used by plant personnel in seeking management approval for planned expenditures at the Facility. These documents are also known as authorizations



including attachments and addenda, generated by or prepared on behalf of the Facility or its predecessors concerning that project. In addition, provide copies of all engineering analyses, reports, planning documents, meeting notes, studies, project information, internal or external correspondence, email, memoranda, and telephone discussion summaries. This shall include all documents which discuss each project with respect to air emissions; which discuss project economics; or which discuss associated production rates (including, but not limited to, possible, potential, or likely effects on air emissions or compliance with Clean Air Act requirements).

14. Identify for each engine, emergency generator and turbine and for the entire facility:
 - a. All applicable emission limits for oxides of nitrogen (NO_x), sulfur dioxide (SO₂), volatile organic compounds (VOCs), carbon monoxide (CO), and particulate matter (PM, PM₁₀, and PM_{2.5});
 - b. Any operating restrictions included in any permits (i.e., hours of operation).
15. For the entire Facility, provide the following information, on a *monthly and annual* basis, since January 1, 2012:
 - a. Emissions of NO_x, SO₂, VOCs, CO, PM, PM₁₀, PM_{2.5}²;
 - b. Calculations and methodology used to calculate the emissions;
 - c. Derivation of any emission factors used to calculate emissions;
 - d. Percent sulfur in the fuel and any fuel supplier certifications.
16. Provide the potential to emit (PTE) for NO_x, SO₂, VOCs, CO, PM, PM₁₀ and PM_{2.5} for each engine, emergency generator and turbine and for the entire Facility. Provide the calculations supporting the PTE's provided and the derivation of any emission factors used to calculate the PTE's.
17. Provide a list of all enforcement actions and settlement agreements for violations of the Clean Air Act or air permits issued to the Facility by either the PADEP or EPA since January 1, 2012. This list should include copies of any administrative or judicial complaints filed against the Facility, any notices of violation or notices of non-compliance issued to the Facility, any documents resolving violations by the Facility such as consent decrees or consent orders, and any orders issued against the Facility, such as administrative orders. For each enforcement action, summarize all fees or fines paid by the Facility including the amount and date paid and describe any injunctive-type relief performed by the Facility.

for expenditure, capital requests or other, similar names.

² Provide calculations to document the emissions of each pollutant for each year. Also, identify where the emission factor for each pollutant was derived for each year (CEMS, Stack Tests, AP-42, etc.).



18. Provide copies of all emission statements submitted to the PADEP since January 1, 2012. Also provide the calculations in an Excel spreadsheet, if not already included, for each criteria pollutant reported. This should include the basis for each emission calculation including each emissions factor used to determine source emissions.
19. Provide copies of each stack emission test of NO_x, SO₂, VOCs, CO, PM, PM₁₀, and PM_{2.5} conducted on each engine, emergency generator and turbine since January 1, 2005. This includes tests done to determine compliance with permits or regulatory standards, engineering tests, and tests for general information. This also includes any test which may have been stopped prior to completion. A copy of the summary pages from the report is sufficient, provided it includes the emission rates and the operating parameters including, but not limited to, fuel usage, engine load, emissions (lb/hr).
20. Indicate which, if any, engines and emergency generators are subject to the NSPS standards of 40 C.F.R. Part 60, Subpart IIII or JJJJ or the MACT standards of 40 C.F.R. Part 63, Subpart ZZZZ. If any of the engines and emergency generators are subject to any of these regulations, provide copies of the initial notifications. If any of the engines and emergency generators are not subject to any of these regulations, provide an explanation as to why they are not subject.
21. Provide a list of each continuous emission monitor system (CEMS), continuous emission rate monitoring systems (CERMS), and continuous opacity monitoring system (COMS) at the Facility. Identify on which stack(s) the CEMS, CERMS, and/or COMS are located, which stationary sources vent to the stack, and which pollutant each CEMS measures. Also, indicate the date the CEM(s) were installed.
22. Provide a copy of any internal future capital outlay plan which describes possible future projects to be conducted at the Facility within the next five years.
23. Provide the name and address of the party who should receive official correspondence on behalf of the Facility concerning this matter.



ENCLOSURE 3:

STATEMENT OF CERTIFICATION

[This Certification is for signature by the president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or another executive with authority to perform similar policy or decision-making functions of the corporation.]

Armstrong is submitting the enclosed documents in response to the U.S. Environmental Protection Agency's ("EPA") request for information, issued pursuant to Section 114(a) of the Clean Air Act, to determine whether the facility is in compliance with the Clean Air Act, including New Source Review Standards.

I certify that I am fully authorized by Armstrong Power LLC to provide the above information on its behalf to EPA.

I certify under penalty of law that I have personally examined and am familiar with the statements and information submitted in the enclosed documents, including all attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are, to the best of my knowledge and belief, true, correct, accurate and complete. I am aware that there are significant penalties for submitting false statements and information, or omitting required statements and information, including the possibility of fines and imprisonment for knowing violations.

Date: _____

Name (Printed): _____

Signature: _____

Title: _____



ENCLOSURE 4:

Confidential Business Information (CBI) Assertion and Substantiation Requirements

A. Assertion Requirements

You may assert a business confidentiality claim covering all or part of the information requested in response to this information request, as provided in 40 C.F.R. Section 2.203(b). You may assert a business confidentiality claim covering such information by placing on (or attaching to) the information you desire to assert a confidentiality claim, at the time it is submitted to EPA, a cover sheet, stamped, or typed legend (or other suitable form of notice) employing language such as "trade secret," "proprietary," "company confidential." Allegedly confidential portions of otherwise non-confidential documents should be clearly identified, and may be submitted separately to facilitate identification and handling by EPA. If you desire confidential treatment only until a certain date or until the occurrence of a certain event, the notice should so state. Information covered by such a claim will be disclosed by EPA only to the extent, and by means of the procedures, set forth in Section 114(c) of the Clean Air Act (the Act) and 40 C.F.R. Part 2. EPA will construe the failure to furnish a confidentiality claim with your response to the attached letter as a waiver of that claim, and the information may be made available to the public without further notice to you.

B. Substantiation Requirements

All confidentiality claims are subject to EPA verification in accordance with 40 C.F.R. Part 2, Subpart B. The criteria for determining whether material claimed as confidential is entitled to such treatment are set forth at 40 C.F.R. Sections 2.208 and 2.301, which provide, in part, that you must satisfactorily show that you have taken reasonable measures to protect the confidentiality of the information and that you intend to continue to do so; that the information is not and has not been reasonably obtainable by legitimate means without your consent; and the disclosure of the information is likely to cause substantial harm to your business's competitive edge.

Pursuant to 40 C.F.R. Part 2, Subpart B, EPA may at any time send you a letter asking you to substantiate fully your CBI claim. If you receive such a letter, you must provide EPA with a response within the number of days set forth in the EPA request letter. Failure to submit your comments within that time would be regarded as a waiver of your confidentiality claim or claims, and EPA may release the information. If you receive such a letter, EPA will ask you to specify which portions of the information you consider confidential. You must be specific by page, paragraph, and sentence when identifying the information subject to your claim. Any information not specifically identified as subject to a confidentiality claim may be disclosed without further notice to you. For each item or class of information that you identify as being subject to CBI, you must answer the following questions, giving as much detail as possible, in accordance with 40 C.F.R. 2.204(e).



1. What specific portions of the information are alleged to be entitled to confidential treatment? For what period of time do you request that the information be maintained as confidential, e.g., until a certain date, until the occurrence of a specified event, or permanently? If the occurrence of a specific event will eliminate the need for confidentiality, please specify that event.
2. Information submitted to EPA becomes stale over time. Why should the information you claim as confidential be protected for the time period specified in your responses?
3. What measures have you taken to protect the information claimed as confidential? Have you disclosed the information to anyone other than a governmental body or someone who is bound by an agreement not to disclose the information further? If so, why should the information still be considered confidential?
4. Is the information contained in any publicly available material such as the Internet, publicly available databases, promotional publications, annual reports, or articles? Is there any means by which a member of the public could obtain access to the information? Is the information of a kind that you would customarily not to release to the public?
5. Has any governmental body made a determination as to the confidentiality of the information? If so, please attach a copy of the determination.
6. For each category of information claimed as confidential, explain with specificity why release of the information is likely to cause substantial harm to your competitive position. Explain the specific nature of those harmful effects, why they should be viewed as substantial, and the causal relationship between disclosure and such harmful effects. How could your competitors make use of this information to your detriment?
7. Do you assert that the information is submitted on a voluntary or a mandatory basis? Please explain the reason for your assertion. If you assert that the information is voluntarily submitted information, explain whether and why disclosure of the information would tend to lessen the availability to EPA of similar information in the future.
8. Any other issue you deem relevant

Please note that emission data provided under Section 114 of the Act, 42 U.S.C. Section 7414, is not entitled to confidential treatment under 40 C.F.R. Part 2, Subpart B.

Emission data means, with reference to any source of emission of any substance into the air:

(A) Information necessary to determine the identity, amount, frequency, concentration, or other characteristics (to the extent related to air quality) of any emission which has been emitted by the source (or of any pollutant resulting from any emission by the source), or



any combination of the foregoing;

(B) Information necessary to determine the identity, amount, frequency, concentration or other characteristics (to the extent related to air quality) of the emissions which, under an applicable standard or limitation, the source was authorized to emit (including, to the extent necessary for such purposes, a description of the manner and rate of operation of the source); and

(C) A general description of the location and/or nature of the source to the extent necessary to identify the source and to distinguish it from other sources (including, to the extent necessary for such purposes, a description of the device, installation, or operation constituting the source).

40 C.F.R. Sections 2.301(a)(2)(i)(A), (B), and (C).

If you receive a request for a substantiation letter from the EPA, you bear the burden of substantiating your confidentiality claim. Conclusory allegations will be given little or no weight in the determination. If you fail to claim the information as confidential, it may be made available to the public without further notice to you.



